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August 14, 1998

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**By Hand**

Ms. Magalie Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Re: WT Docket 96-198 – Implementation of Section 255 of the  
Telecommunications Act of 1996

Dear Ms. Salas:

Enclosed please find an original and five (5) copies of Lucent Technologies Reply Comments for filing in the above-referenced proceeding. Also enclosed is a copy to be stamped and returned for our files.

Please do not hesitate to contact me should there be any questions.

Sincerely,

Diane Law

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Before the  
Federal Communications Commission  
Washington, D.C. 20554

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AUG 14 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Implementation of Section 255 of )  
Telecommunications Act of 1996 )  
)  
Access to Telecommunications Services, )  
Telecommunications Equipment, and )  
Customer Premises Equipment )  
By Persons with Disabilities )

WT Docket No. 96-198

REPLY COMMENTS BY LUCENT TECHNOLOGIES INC.

Diane M. Law  
Corporate Counsel  
Regulatory Affairs  
Law Division  
Lucent Technologies Inc.

## Introduction

Pursuant to Section 1.415 of the Federal Communications Commission's Rules, Lucent Technologies Inc. ("Lucent") respectfully submits the following Reply Comments in response to the *Notice of Proposed Rulemaking*, FCC 98-55, released April 20, 1998 ("*Notice*"). The Notice sought comment on issues related to Section 255 of the Communications Act regarding the accessibility of telecommunications services and customer premises equipment (CPE) to persons with disabilities.<sup>1</sup> Section 255 requires manufacturers of telecommunications equipment and CPE to "ensure that the equipment is designed, developed, and fabricated to be accessible to and usable by individuals with disabilities, if readily achievable."

In our comments, Lucent voiced full support for the goals of Section 255 and urged the Commission to implement Section 255 in a realistic manner. Lucent reiterates the request that the Commission impose standing requirements for complainants that take into account the special situation of business equipment customers and manufacturers.<sup>2</sup> Lucent agrees with the Multimedia Telecommunications Association (MMTA) that employers, not manufacturers, should be the first contact for employee-based accessibility problems.<sup>3</sup>

Lucent also supports the Telecommunications Industry Association's (TIA) definitions of "accessibility," "disability," and "readily achievable" and its dispute resolution process.<sup>4</sup> Lucent supports TIA's proposals because we believe they will lead to

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<sup>1</sup> 47 U.S.C. § 255.

<sup>2</sup> See Lucent comments at 11-12.

<sup>3</sup> MMTA comments at 22-23.

<sup>4</sup> See TIA comments generally.

real increases in the accessibility of telecommunications equipment and CPE without imposing undue regulatory burdens on manufacturers.

Finally, Lucent would like to respond to some commenters who have argued that manufacturers should be solely responsible for Section 255 compliance when accessibility issues can be resolved only through changes to equipment in carriers' networks.<sup>5</sup> Lucent agrees with PCIA that the carrier-manufacturer relationship should be characterized as a **partnership** designed to ensure that both parties comply with Section 255 requirements.<sup>6</sup> Telecommunications carriers configure their networks to their own specifications<sup>7</sup> and make their own purchasing decisions. Manufacturers work closely with telecommunications carriers to develop equipment to carriers' specifications. Of course, manufacturers must design and manufacture "accessible" telecommunications equipment, if readily achievable. Assuming a manufacturer has complied with this requirement, it should not be held responsible for accessibility problems that result from a particular carrier's use of equipment or network configuration. Thus, manufacturers cannot and should not be solely responsible for carriers' compliance with Section 255.

### Conclusion

Lucent fully supports the goals of Section 255 and will strive to make its products more accessible, to the extent readily achievable. Lucent urges the Commission, however, to implement Section 255 in a manner that does not impose unnecessary regulatory burdens or alter manufacturers' incentives to invest in the development of new

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<sup>5</sup> See USTA comments at 4.

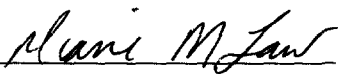
<sup>6</sup> PCIA comments at 8.

<sup>7</sup> Telecommunications carriers, however, may not install network features, functions, or capabilities that do not comply with the guidelines and standards established pursuant to section 255 or 256. 47 U.S.C. § 251(a)(2).

accessible technologies. Lucent firmly believes that such a realistic approach to Section 255 is workable and can yield substantial benefits for consumers with disabilities.

Respectfully submitted,

Lucent Technologies Inc.

By 

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